

**Approved**  
MEETING MINUTES OF THE REGULAR MEETING OF THE  
CITY OF ALAMEDA HISTORICAL ADVISORY BOARD  
THURSDAY, FEBRUARY 4, 2010

1. CONVENE: 7:05 pm
2. ROLL CALL: Present Chair Owens, Vice Chair Rauk, Board Members Hoffman, Irons, and Lynch
3. MINUTES: Meeting of December 3, 2009. Vice Chair Rauk motioned, seconded Hoffman. Motioned passes 4-0-1 (Board Member Lynch abstained).

4. AGENDA CHANGES AND DISCUSSIONS:

None.

5. ORAL COMMUNICATIONS:

None.

6. WRITTEN COMMUNICATIONS:

Staff provided copies of written communications addressing the Draft Historic Preservation Ordinance.

7. REGULAR AGENDA ITEMS:

- 7-A **Certificate of Approval – PLN09-0410 – 1019 Morton Street.** The applicant is requesting a Certificate of Approval to allow removal of three Coast Live Oaks (*Quercus agrifolia*). The subject trees are located in a confined space and are structurally weakened.

Staff presented a report on the project.

Board Member Lynch asked why the trees had been planted so close to the residence.

The property owner replied that the trees were mature when they moved into the house in 1991.

Chair Owens closed the public hearing and opened the item up for discussion by the Board.

Board Member Irons indicated that he favored tree planting in public sites in lieu of

replanting on constrained sites, but cautioned that public space is limited and future authorizations to plant trees off-site may be ineffective due to a lack of available public space.

Staff stated it would check with the Public Works Department and see if they could provide information regarding how tree replacement planting funds have been used to date and if there was any data regarding the number of trees that had been planted in public spaces.

Vice Chair Rauk asked if it would be possible to plant one larger tree in lieu of planting two trees for each removed tree.

Staff stated that young trees seem to adapt to new locations much more easily than larger, more mature trees, but it was possible to condition an approval to require replanting one larger tree.

Chair Owens proposed that the Board should be able to condition an approval that required a replacement planting fee, but then it should be up to the discretion of the City to determine how best to use that money to acquire and plant trees. For example, in some instances it might be best for a City to use the money to buy and plant numerous smaller trees and in other instances it might be best to use the money to buy one larger tree for planting at a particular site.

Board Member Hoffman seconded that notion.

Board Member Lynch asked for a list of trees that have been planted in Alameda using the tree replacement planting funds that have been collected to date.

Following additional discussion regarding the recommended number of tree replacement plantings, staff proposed that the resolution be amended to delete the number of replacement trees so that it would be up to the City to determine how best to use the tree replacement planting funds.

Board Member Irons motioned, seconded by Vice Chair Rauk, to adopt the resolution as amended. Motion passes 5-0.

## **7-B Historic Preservation Ordinance Workshop**

Chair Owens provided an overview of the changes contained in the Draft Historic Preservation Ordinance.

Board Member Irons asked for clarifications on the Historical-Cultural Preservation Permit and its relation to the State Historic Building Code.

Chair Owens explained that the proposed regulations provided a process by which the Board could consider exceptions to the Zoning Code if the project was an effort to preserve a historic resource.

Staff explained that the Board would be asked to make decisions that would allow a project to receive exceptions to the Development Regulations, which are normally considered through a use permit or variance application. Staff pointed out that this umbrella permit would allow an applicant to receive a streamlined permit, which would be a cost and time savings for an applicant or property owner. Such an incentive would likely prompt an applicant to develop a project that would emphasize preservation and restoration over demolition.

Board Member Hoffman asked for a clarification on the Historical Advisory Board Fund.

Staff stated that such a fund exists, but there are no monies in it at this time. Collected funds, from donations, fines, etc, could be used for historic preservation efforts.

Chair Owens opened the public comment period.

Mr. Buckley, Alameda Architectural Preservation Society Representative, discussed the points in the letter submitted by the Alameda Architectural Preservation Society.

Mr. Kibby, Alameda Resident, cautioned against economic hardship provisions in the ordinance and supported the permit process that would allow the Board to consider land use exceptions by way of a Historical-Cultural Preservation Permit. He also recommended that the ordinance include authority for staff to approve small projects, rather than requiring that they all be considered by the Historical Advisory Board (HAB).

Chair Owens closed the public comment period.

Vice Chair Rauk stated that she supported streamlining the permit process by having authorized planning staff conduct an initial evaluation of buildings constructed prior to 1942 not listed on the Historical Building Study List and make a determination that the proposed changes meet the conditions to be issued a Certificate of Approval. Staff would be authorized to issue a Certificate of Approval. She also suggested that the definition of an alteration as stated in section B "...the removal of more than 25% of the surface of any exterior wall that is adjacent to a street or a public sidewalk" and that this would also be applicable to pre-1942 structures not listed on the Historical Building Study List. This amendment would allow for additions at the back of structures where they would not be visible from the street. She expressed concern that if the new regulations are too strict, homeowners may not be inclined to pursue remodeling and upgrading their historic properties that, in turn, could hinder historic preservation efforts. She also provided comments on the submittal requirements for projects and the appeal process.

In response to questions concerning the appeal process and findings, staff suggested that the findings for approval should be the same for any civic body taking an action on a historic preservation project. For example the City Council would need to make the same findings for a project as the Historical Advisory Board.

Chair Owens asked for clarification on developing findings for economic hardship and consideration of a project through the California Environmental Quality Act process. Staff

provided a clarification of the process.

Board Member Irons supported Vice Chair Rauk's comments that non-listed, pre-1942 structures should be evaluated in a less stringent manner than those properties that are on a list of historic resources.

Chair Owens clarified that "replacement-in-kind" would not fall under the classification of "demolition".

Vice Chair Rauk stated that determinations for inclusion of structures built before 1942 on the Historical Building Study list, or other historic inventory, should be made by Planning staff.

Board Member Lynch preferred that staff not make such determinations because with changes in staff there could be changes in the level of historic preservation expertise and knowledge.

Vice Chair Rauk proposed that the Community Development Director, or other position in Community Development, be assigned to make the determination on whether a site should be added to the Historic Resources Inventory.

Staff proposed such determination could also be done by a committee made up of staff and some members of the Historical Advisory Board. It also pointed out that a system for determining the historical status of a site needs to be formulated because there are inaccuracies and oversights on existing lists.

Vice Chair Rauk emphasized the need to make the HAB and design review process as easy as possible for buildings that currently fall under the pre-1942 classification, but that do not exhibit significant architectural merit.

Chair Owens proposed that historic evaluations of structures could be conducted by consultants and the Board would then be required to evaluate the validity or accuracy of the historical analysis by the consultant.

Staff supported such a proposal but cautioned that the consultant should meet minimum qualifications.

The Board concluded its discussion at this point and requested that this item be scheduled for its next meeting in March, which would allow the Board and members of the public an opportunity to review the draft ordinance and provide additional feedback or comments.

## **7-C Historic Preservation Season Proclamation**

Board Member Lynch presented the draft proclamation to be presented at a City Council meeting in March.

Staff proposed that the proclamation include a section that would recognize the City's efforts to obtain the "Preserve America" designation by the federal government, which would allow the City to apply for historic preservation grants.

Board Member Lynch motioned and Vice Chair Rauk seconded the motion to recommend forwarding the proclamation, as amended, to the City Council. Motion passed 5-0.

8. BOARD COMMUNICATIONS:

Board Member Lynch announced this year's Alameda Museum Lecture Series and shared that the Alameda Museum has new exhibit items, which she encouraged the Board to visit.

9. STAFF COMMUNICATIONS:

Staff reported.

10. ADJOURNMENT:

The meeting adjourned at 8:32 pm.